

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CIV S-04-1867 WBS JFM

vs.

REAL PROPERTY LOCATED AT
2363 FAIRVIEW LANE, etc., ORDER

Defendants.

By order filed July 11, 2005, claimants Barbara and Richard Ryan were directed to advise the court whether they have abandoned this litigation, based on their failure to appear at this court's July 7, 2005 hearing on defendants' June 20, 2005 motion as well as their failure to file a written opposition to said motion. On July 17, 2005, counsel for claimants filed a declaration stating he did not receive the plaintiff's June 20, 2005 motion. Good cause appearing, defendants' June 20, 2005 motion will be reset on this court's August 25, 2005 calendar and claimants will be permitted to file a late opposition.¹

¹ While the court is not unsympathetic to the difficulties counsel has experienced with CM/ECF, it is incumbent upon counsel to ensure a reliable method to receive filings in his cases if he wishes to continue practice in this district. This court recommends counsel contact the court's IT department for assistance in confirming receipt of e-mailed orders in the future.

1 IT IS HEREBY ORDERED that:

2 1. Plaintiff's June 20, 2005 motion to exclude claimants Barbara and Richard
3 Ryan's Witnesses and Documents Not Previously Disclosed is reset for hearing on August 25,
4 2005, at 11:00 a.m. before the undersigned.

5 2. Claimants Barbara and Richard Ryan shall file their opposition to the motion
6 no later than August 11, 2005; plaintiff's reply shall be filed seven days thereafter.

7 3. The Clerk of the Court shall serve a copy of this order on Barbara Ryan,
8 Richard Ryan and their attorney of record, Victor S. Haltom.

9 DATED: July 27, 2005.

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12 UNITED STATES MAGISTRATE JUDGE

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